

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE**

In re:
MOODY, MICHAEL J.
Debtor(s)

Chapter 7
Case No: 07-11186 JMD

**EX-PARTE APPLICATION OF THE TRUSTEE TO EMPLOY
DUANE A. D'AGNESE & COMPANY, P.A. FOR PREPARATION OF
ESTATE TAX RETURNS**

Steven M. Notinger, Chapter 7 Trustee, moves pursuant to 11 U.S.C. §327 and §330, Bankruptcy Rule 2014(a) and applicable local bankruptcy rules to employ and compensate Duane A. D'Agnese & Company, P.A. for preparation of tax returns for fiscal year ended 12/31/2009 on behalf of the above-referenced bankruptcy estate, and states in support thereof as follows:

1. Steven M. Notinger is the duly appointed Chapter 7 Trustee in the above-referenced estate. Trustee needs to file tax returns for the fiscal year ending 12/31/2009.
2. The Trustee seeks to engage and compensate Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. to prepare and file the income tax returns on behalf of the estate. Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. do not hold any interest adverse to the estate and are disinterested persons within the meaning of 11 U.S.C. §101(14). Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. have not entered into any arrangement to share fees it receives in this case with any other person except as permitted by law.
3. Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. agree to payment of a flat fee of \$500.00 for preparing the 2009 tax returns for the estate. Payment is requested upon completion of the 2009 income tax returns to be paid without further order of the Court.
4. The Trustee believes the employment of Duane A. D'Agnese, CPA, CIRA and

Duane A. D'Agnese & Company, P.A. is in the best interests of the estate.

WHEREFORE, Steven M. Notinger, Chapter 7 Trustee respectfully requests this Court:

- A. Approve this application allowing Trustee to employ Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. under the terms outlined in the application;
- B. Authorize payment of Duane A. D'Agnese, CPA, CIRA and Duane A. D'Agnese & Company, P.A. upon filing of the estate tax returns.
- C. Grant such other and further relief as this Court deems just and equitable.

Respectfully submitted,

Steven M. Notinger, Trustee

Date: March 7, 2010

/s/ Steven M. Notinger
Steven M. Notinger (BNH 03229)
Donchess & Notinger PC
547 Amherst Street, Ste 204
Nashua, NH 03063
(603) 886-7266

CERTIFICATE OF SERVICE

I, Steven M. Notinger, that a copy of the above application to employ accountants was this day forwarded to all parties who receive pleadings and other notices via CM/ECF in this case.

March 7, 2010

Date

/s/ Steven M. Notinger

Steven M. Notinger